



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,717	09/25/2003	Masanori Yoshida	0879-0417P	6372

2292 7590 12/10/2007
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ALMATRAHI, FARIS S

ART UNIT	PAPER NUMBER
----------	--------------

3627

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/10/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/669,717

Applicant(s)

YOSHIDA, MASANORI

Examiner

Faris Almatrahi

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/25/2003, 09/18/2007.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Status of the Application

1. **Claims 1-17** are pending in this application.
2. If applicant is aware of any prior art or any co-pending application not already on record, the applicant is reminded of his/her duty under 37 C.F.R §1.56 to disclose the same.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1-16** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. **Claim 1** recites the limitation " wherein each of the client computers comprises: a second communication device which wirelessly communicates with the first communication device of the portable apparatus to receive the customer information from the first communication device and send the shop information to the first communication device; and a third communication device which sends the customer information received by the second communication device to the server and receives the shop information sent by the second communication device from the server". The

Art Unit: 3627

phrase "second communication device" and "third communication device" as recited in the limitation suggest that the client computer contains three communication devices but only discloses the "second" and "third". It is unclear if applicant is claiming that the "second" and "third" communication devices are that of the system as a whole or that of the client computers. The above limitation also has the phrase "the first communication device of the portable apparatus". It is unclear as to whether the portable apparatus contains one communication device or multiple communication devices. Similar comments apply in Claim 1 to the phrase "fourth communication device" and "the first display device of the portable apparatus". It is unclear if the server contains four communication devices or if reference to "fourth communication device" is to that of the solicitation system as a whole. It is also unclear whether the portable apparatus contains one display device or multiple display devices.

6. Similar comments apply to claims 2-16.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3627

8. **Claims 1-17** are rejected under 35 U.S.C 103(a) as being unpatentable over Barnes (US Publication No. 2003/0220835 A1) in view of Iwase et al. (US Publication No. 2002/0165803 A1).

9. Regarding Claims 1 and 17, Barnes discloses a customer solicitation support system, comprising: a portable apparatus which is carried by a customer (Paragraph [0034]); a plurality of client computers which are installed in shops (Paragraph [0187]); and a server which exchanges information among the plurality of client computers (Paragraph [0046]),

- wherein the portable apparatus comprises: a first display device which displays shop information indicating shops having stock of a product desired by the customer (Abstract, Figure 1, Paragraphs [0274] – [0275]) ; and a first communication device which wirelessly communicates with the client computers to send customer information indicating the customer carrying, the portable apparatus and receive the shop information displayed on the first display device from one of the client computers closest to the customer (Abstract, Figures 1-3, Paragraph [0078], Paragraphs [0274] – [0275]);
- wherein each of the client computers comprises: a second communication device which wirelessly communicates with the first communication device of the portable apparatus to receive the customer information from the first communication device and send the shop information to the first communication device (Figures 2-3, Paragraphs [0274] – [0275]; and a third communication device which sends the customer information received by the second

communication device to the server and receives the shop information sent by the second communication device from the server (Abstract, Figures 2-3, Paragraph [0013], Paragraphs [0274] – [0275]); and

- wherein the server comprises: a fourth communication device which receives the customer information from the portable apparatus via the client computers wirelessly communicating with the portable apparatus and sends the shop information which the first display device of the portable apparatus is caused to display (Abstract, Figures 2-3, Paragraph [0046]; a customer information database which manages desired product information in association with customer information of each customer (Paragraphs [0277] – [0279]); a stock information database which manages stocked product information indicating stocked products in association with shop information of each shop (Paragraph [0273] – [0275]); an extraction device which, upon receiving the customer information via the fourth communication device, extracts the desired product information associated with the customer information from the customer information database based upon the received customer information (Paragraphs [0281] – [0283]; and a control device which compares the desired product information extracted by the extraction device and the stocked product information registered in the stock information database, retrieves stocked product information coinciding with the desired product information, and outputs the shop information associated with the retrieved stocked price information to

Art Unit: 3627

the fourth communication device (Paragraphs [0187] – [0190], Paragraph [0283]).

10. Although Barnes discloses a server that performs the functional limitation of the databases disclosed in the instant application, Barnes does not distinctly distinguish the databases as a customer information database and stock information database.

11. However, Iwase discloses a customer solicitation support system wherein the server comprises a customer information database and stock information database (Abstract, Figures 1-4).

12. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Iwase in the device of Barnes reference to include a customer solicitation support system wherein the server comprises a customer information database and stock information database, for the advantage of providing an information processing system capable of providing commodity information to customers and easily providing information on the use of purchased commodities (Iwase, Paragraph [0009]).

13. Regarding Claims 2 and 5, Barnes discloses a customer solicitation support system, further comprising: a customer information input apparatus which comprises: an input device which inputs customer information indicating the customer carrying the portable apparatus together with the desired product information associated with the product desired by the customer (Abstract, Paragraph [0035]); and a fifth communication device which communicates with the fourth communication device of the

Art Unit: 3627

server and sends the desired product information and the customer information inputted by the input device to the server (Figures 1-3, Paragraph [0042]).

14. Regarding Claims 3 and 6, Barnes discloses a customer solicitation support system, wherein the input device is capable of inputting a face image of the customer together with the desired product information and the customer information (Figure 1, Paragraph [0106]).

15. Regarding Claims 4 and 7, Barnes discloses a customer solicitation support system, wherein: each of the client computers comprises a second display device which displays the face image of the customer and desired product information and the fourth communication device sends the face image of the customer and the desired product information which the second display device is caused to display (Figures 1-3, Paragraphs [0109] – [0110]).

16. Regarding Claim 8, Barnes discloses a customer solicitation support system, wherein the shop information includes location information of the shops (Abstract, Paragraph [0099]).

17. Regarding Claim 9, Barnes discloses a customer solicitation support system, wherein: the server comprises a customer existing location detection device which detects an existing location of the customer and the control device outputs the shop information of the shop close to the existing location of the customer, which is detected by the customer existing location detection device, preferentially to the fourth communication device among the shop information associated with the retrieved stocked product information (Abstract, Figure 3, Paragraphs [0292] – [0295]).

18. Regarding Claim 10, Barnes discloses a customer solicitation support system, wherein: each of the first communication device of the portable apparatus and the second communication device of the client computers is a short-range wireless communication device which performs wireless communication only in a predetermined communication area (Paragraph [0031]); and the customer existing location detection device of the server detects the customer existing location based upon an installation location of the client computer which has sent the customer information to the server (Abstract, Figure 3, Paragraphs [0292] – [0295]).

19. Regarding Claim 11, Barnes discloses a customer solicitation support system, wherein each of the first communication device of the portable device and the second communication device of the client computers is a short-range wireless communication device of the Bluetooth standard (Paragraph [0048]).

20. Regarding Claim 12, Barnes discloses a customer solicitation support system, wherein: the stocked product information managed by the stock information database includes prices of the stocked products and the control device outputs the shop information of the shop, which sets low prices to the stocked products, preferentially to the fourth communication device among the shop information associated with the retrieved stocked price information (Paragraph [0177], Paragraph [0187]).

21. Regarding Claims 13-15, Barnes discloses a customer solicitation support system, wherein: each of the client computers comprises an input device which inputs stocked product information (Paragraphs [0266] – [0269]); each of the client computers sends the shop information to the server together with the stocked product information

Art Unit: 3627

via the third communication device (Paragraph [0273] – [0279]); each of the client computers comprises an input device which inputs product purchase information indicating that the customer has purchased the desired product (Paragraphs [0104], [0269]); each of the client computers sends the customer information to the server together with the product purchase information inputted by the input device via the third communication device (Paragraph [0104], Paragraphs [0128] – [0130]).

22. Barnes fails to explicitly disclose a customer solicitation support system wherein the server comprises a database management device which manages terms of validity for the desired product information registered in the customer information database and the stocked product information registered in the stock information database, respectively, and deletes the desired product information and the stock product information, the terms of validity of which have expired, from the customer information database and the stock information database.

23. However, Iwase discloses a customer solicitation support system wherein the server comprises a database management device which manages terms of validity for the desired product information registered in the customer information database and the stocked product information registered in the stock information database, respectively, and deletes the desired product information and the stock product information, the terms of validity of which have expired, from the customer information database and the stock information database (Abstract, Figures 1-3, Paragraph [0075], Paragraph [0150]).

Art Unit: 3627

24. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of lwase in the device of Barnes reference to include a customer solicitation support system wherein the server comprises a database management device which manages terms of validity for the desired product information registered in the customer information database and the stocked product information registered in the stock information database, respectively, and deletes the desired product information and the stock product information, the terms of validity of which have expired, from the customer information database and the stock information database, for the advantage of providing an information processing system capable of providing commodity information to customers and easily providing information on the use of purchased commodities (lwase, Paragraph [0009]).

25. Regarding Claim 16, Barnes discloses a customer solicitation support system, wherein: each of the first communication device of the portable apparatus and the second communication device of the client computers is a short-range wireless communication device which performs wireless communication only in a predetermined communication area (Paragraph [0031]); each of the client computers sends information, which indicates whether or not the each of the client computer is wirelessly connected to the portable apparatus, to the server via the third communication device (Abstract, Figure 3, [Paragraph [0112], Paragraphs [0292] – [0295]).

26. Barnes fails to explicitly disclose a server comprising a database management device which, upon receiving information, which indicates that the portable apparatus is not wirelessly connected to the each of the client computers, via the fourth

Art Unit: 3627

communication device, deletes the customer information corresponding to the portable apparatus from the customer information database.

27. However, Iwase discloses a server comprising a database management device which, upon receiving information, which indicates that the portable apparatus is not wirelessly connected to the each of the client computers, via the fourth communication device, deletes the customer information corresponding to the portable apparatus from the customer information database (Abstract, Figures 1-3, Paragraph [0075], Paragraph [0150]).

28. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Iwase in the device of Barnes reference to include a server comprising a database management device which, upon receiving information, which indicates that the portable apparatus is not wirelessly connected to the each of the client computers, via the fourth communication device, deletes the customer information corresponding to the portable apparatus from the customer information database, for the advantage of providing an information processing system capable of providing commodity information to customers and easily providing information on the use of purchased commodities (Iwase, Paragraph [0009]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571) 270-3326. The examiner can normally be reached on Monday to Friday 9:00 AM - 5:00 PM.

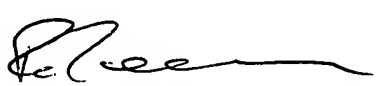
Art Unit: 3627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Faris Almatrahi
Examiner
Art Unit 3627

FA

 12/5/07
F. RYAN ZEENDER
SUPERVISORY PATENT EXAMINER